

ORDINANCE NO. 050127-56

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2444 SOUTH FIRST STREET FROM FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-04-0180, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.15 acre tract of land, more or less, out of the Isaac Decker League No. 20, Abstract No. 8, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 2444 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses of the Property:

Automotive repair services
Automotive washing (of any type)
Business or trade school
Commercial off-street parking
Drop-off recycling collection facility
Food preparation
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Outdoor sports and recreation
Personal improvement services

Automotive sales
Bail bond services
Business support services
Communications services
Exterminating services
Funeral services
Indoor entertainment
Medical offices (exceeding 5000 sq. ft.
gross floor area)
Pawn shop services
Research services

Restaurant (general)
Community recreation (private)
Congregate living
Hospital services (general)
Residential treatment

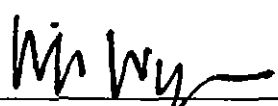
Theater
Community recreation (public)
Group home, Class II
Hospital services (limited)

2. Drive-in service is prohibited as an accessory use to commercial uses.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on February 7, 2005.

PASSED AND APPROVED

_____, January 27, 2005 §
 §
 § 
 Will Wynn
 Mayor

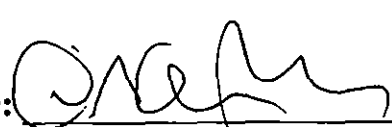
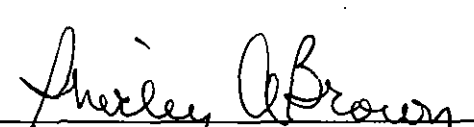
APPROVED:  **ATTEST:** 
 David Allan Smith Shirley A. Brown
 City Attorney City Clerk

EXHIBIT A

FIELD NOTES

EDMONDSON / Job# 2678 / November 1, 2002

All that certain tract or parcel of land situated in Travis County, Texas, out of the Isaac Decker League No. 20, Abstract No. 8 and being a portion of that tract described in a Warranty Deed to Tommie Wicks dated September 23, 1999 and recorded as Doc#1999127522 of the Real Property Records of Travis County and described by metes and bounds as follows:

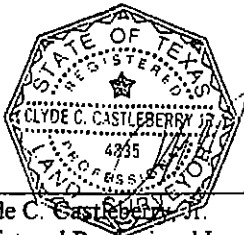
BEGINNING at a ½" iron pin found for the Southeast corner of that tract described in a Warranty Deed to John McCarthy dated March 19, 1999 and recorded in Volume 13395, Page 2204 of said real property records for the Northeast corner of said Wicks tract and this tract;

THENCE: S 68° 09' 43" E 93.90 feet to a ½" iron pin with a yellow plastic cap inscribed "CCC 4835" set for the Northeast corner of that tract conveyed to the City of Austin by deed dated August 24, 1960 and recorded in Volume 2220, Page 261 of said real property records being the Southeast corner of this tract;

THENCE: S 29° 10' 00" W 69.15 feet with the North line of said City of Austin tract to a ½" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the West line of said Wicks tract for the Northwest corner of said City of Austin tract, being the Southeast corner of that tract described in a Warranty Deed to Daniel and Maria Del Carmen Camarena dated October 26, 1995 and recorded in Volume 12558, Page 1256 of said real property records and being the Southwest corner of this tract;

THENCE: N 68° 28' 30" W 92.05 feet to a ½" iron pin found in the South line of said McCarthy tract for the Northeast corner of said Carmarena tract, being the Northwest corner of said Wicks tract and this tract;

THENCE: N 27° 36' 00" E 69.44 feet with the South line of said McCarthy tract and the North line of said Wicks tract, being the basis of bearings cited hereon, to the place of Beginning and containing 0.15 acre of land.



Clyde C. Castleberry, Jr.
Registered Professional Land Surveyor No. 4835

0.15 OF AN ACRE OUT OF THE ISAAC DECKER
LEAGUE SURVEY NO. 20, ABSTRACT NO. 8, TRAVIS
COUNTY, TEXAS.

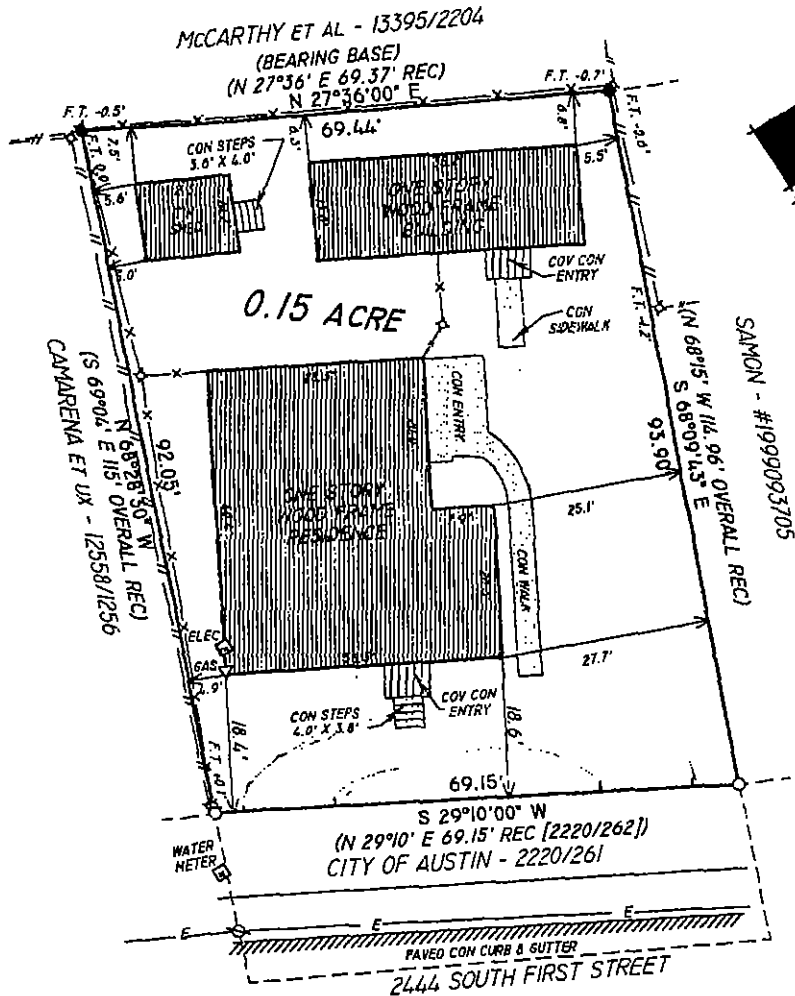
JOB NO: 2478

DRAWN

F.C.

SUBJECT TO: (1) DEED RECORDS - 992/29, 2220/262, #1999127522

FIELD NOTES ATTACHED



- LEGEND:
- 1/2" IRON PIN FOUND "NO CAP"
 - 1/2" IRON PIN SET "CCC 4835" (YELLOW CAP)
 - ⊗ UTILITY POLE
 - E- ELECTRIC LINES
 - ⊠ FENCE POST
 - X- CHAINLINK FENCE
 - ||- WOOD FENCE

NOTE: FENCE TIES (F.T.) WITH "X" SIGN REPRESENT FENCE INSIDE PROPERTY LINE; THOSE WITH "•" SIGN REPRESENT FENCE OUTSIDE PROPERTY LINE

BEARINGS BASED ON PLAT RECORDS - #1999127522

CERTIFY: CHICAGO TITLE / EDMONDSON / GF #092206083

SCALE: 1" = 20'

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

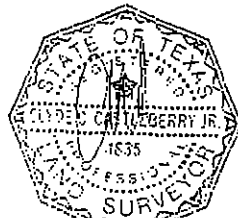
THAT I, C. DOE C. CASTLEBERRY, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING PLATTED TRACT OF LAND AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

NOTICE: THIS SURVEY IS COPYRIGHT 2002 BY CASTLEBERRY SURVEYING, INC. THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND NO LICENSE HAS BEEN CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION, WHICH SHALL TAKE PLACE WITHIN 90 DAYS OF THE COMPLETION OF THIS SURVEY.

THIS AREA IS SHOWN TO BE IN A SPECIAL FLOOD HAZARD AREA "ZONE AE" PER FEMA'S FLOOD INSURANCE RATE MAP NO. 48453C0210 F, DATED JUNE 5, 1997, HOWEVER AT PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT REPRESENT ACCURACY OR INACCURACY OF SAID MAP. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOODING OR FLOOD DAMAGE.



CASTLEBERRY SURVEYING, INC.
203 SOUTH IH-36, SUITE 101C
GEORGETOWN, TEXAS 78628
TELEPHONE: (512) 930-1600 FAX: (512) 930-9389
E-MAIL: info@castleberrysurveying.com



WITNESS MY HAND AND SEAL,
THIS 23RD DAY OF OCTOBER, 2002, A.D.

